

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,)
Plaintiff,) 8:21CR25
vs.)
TODD KOWAL and)
NZINGHA SIMMONS,)
Defendants.) ORDER

This matter is before the court on defendant Nzingha Simmons' Unopposed Motion to Continue Trial [40]. Counsel needs additional time to prepare for trial and/or resolve the case. For good cause shown,

IT IS ORDERED that the Unopposed Motion to Continue Trial [40] is granted, as follows:

1. The jury trial, **for both defendants Todd Kowal and Nzingha Simmons**, now set for August 31, 2021, is continued to **November 2, 2021**.
2. In accordance with 18 U.S.C. § 3161(h)(7)(A), the court finds that the ends of justice will be served by granting this continuance and outweigh the interests of the public and the defendants in a speedy trial. Any additional time arising as a result of the granting of this motion, that is, the time between **today's date and November 2, 2021**, shall be deemed excludable time in any computation of time under the requirement of the Speedy Trial Act. Failure to grant a continuance would deny counsel the reasonable time necessary for effective preparation, taking into account the exercise of due diligence. 18 U.S.C. § 3161(h)(6), (7)(A) & (B)(iv).

DATED: August 10, 2021.

BY THE COURT:

**s/ Susan M. Bazis
United States Magistrate Judge**